

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 ERIC GUNDERSEN,

5 Plaintiff,

No. C 09-2270 CRB (MEJ)

6 v.

7 LENNAR ASSOCIATES MANAGEMENT
8 LLC, et al.,

**DISCOVERY ORDER RE CONTACT
INFORMATION DISPUTE
(DKT #65)**

9 Defendants.
10 _____/

11 The Court is in receipt of the parties' joint letter, filed May 5, 2010, regarding Plaintiff's
12 request for Defendant Lenmar Associates Management ("Lenmar") to disclose contact information
13 for putative class members in this alleged overtime misclassification case. (Dkt. #65.) Plaintiff
14 seeks the name, home address, and telephone number for all 462 current and former Lenmar
15 Assistant Construction Managers ("ACMs") in California. Defendant argues that it has already
16 produced contact information for 47 ACMs, but Plaintiff has made little effort to substantiate his
17 allegations by contacting these putative class members.

18 Upon review of the parties' arguments, the Court finds that Plaintiff has not shown why a
19 representative sample of 47 ACMs is not sufficient to substantiate his allegations. However, the
20 Court notes that the contact information for some of the 47 ACMs may no longer be valid.
21 Accordingly, the Court shall permit Plaintiff the opportunity to obtain the contact information for a
22 representative sample of ACMs whose contact information is still valid. To facilitate this, the Court
23 ORDERS as follows: Plaintiff shall provide a list of those ACMs out of the 47 already provided
24 whose contact information is no longer valid, and Lenmar shall then provide contact information for
25 the same number of ACMs. The parties shall meet and confer to determine which ACMs' contact
26 information shall be provided. Said production shall be on a statewide basis.

27 **IT IS SO ORDERED**

28 Dated: May 26, 2010

Maria-Elena James
Chief United States Magistrate Judge